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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,323	09/24/2003	Charles Allen Helfinstine	FOUND-0046	5660
49680	7590	12/23/2005	EXAMINER	
THELEN REID & PRIEST LLP			WANG, ALBERT C	
FOUNDRY				
P.O. BOX 640640			ART UNIT	
SAN JOSE, CA 95164-0640			PAPER NUMBER	
			2115	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,323

Applicant(s)

HELFINSTINE ET AL.

Examiner

Albert Wang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-67 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Original claims 1-67 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "said first circuits" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationship between "said event" and "type of event".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 45 and 67 are rejected under 35 U.S.C. 102(b) as being anticipated by Powerware Corporation, *Powerware 9170+ User's Guide*, Rev. A, 2002.

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As per claim 45, Powerware9170 teaches a method of managing power for a computer system, the method comprising:

- powering the computer system with a plurality of power supplies (figs. 4-6, UPS having plurality of power supplies);

- transmitting a plurality of signals indicative of an electrical condition of each of the power supplies (chapter 8, via cable from UPS to computer system);

- monitoring the electrical condition of each of the plurality of power supplies (chapter 8, circuit inherent in computer system, coupled to other end of cable, runs UPS monitoring software);

- communicating the state of the one of the plurality of power supplies to a user (chapter 7, front panel display & using the front panel display).

As per claim 67, Powerware9170 teaches a method of monitoring the power to a computer system, said power supplied by a plurality of power supplies, said method comprising:

- generating a state signal indicative of a state of said plurality of power supplies (chapter 11, alarms);

- generating an identifying signal identifying each of said plurality of power supplies (chapter 11, alarms);

- monitoring said state signal (chapter 7, front panel display & using the front panel display);

- notifying an operator of the computer system, based on an event associated with said state signal (chapter 7, front panel display & using the front panel display).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-18, 23-40 and 46-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powerware Corporation, *Powerware 9170+ User's Guide*, Rev. A, 2002 ("Powerware9170"), in view of Powerware Corporation, *Powerware ConnectUPS SNMP Adapters Brochure*, February 2000 ("ConnectUPS").

As per claim 1, Powerware9170 teaches a power management system for a computer system having a plurality of power supplies (figs. 4-6, UPS having plurality of power supplies), the system comprising:

a plurality of first circuits, each of the first circuits responsive to an electrical condition of each of the plurality of power supplies (chapter 8, cable from UPS to computer system);

a second circuit, responsive and coupled to the plurality of first circuits, that identifies a state associated with any one of the plurality of power supplies (chapter 8, circuit inherent in computer system, coupled to other end of cable, that runs UPS monitoring software);

However, Powerware9170 does not expressly teach a third circuit, responsive and coupled to the second circuit, that communicates the state of the one of the plurality of power supplies to a user. ConnectUPS teaches such a third circuit (display monitor coupled to server/workstation). At the time of the invention, it would have been obvious to one of ordinary

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skill in the art include a display monitor in Powerware9170's computer system, as using a display monitor to communicate information to a user is well known in the art.

As per claim 2, Powerware9170 teaches said plurality of first circuits comprises a coupling cable (chapter 8).

As per claim 3, Powerware9170 teaches said plurality of first circuits is a coupling cable having a plurality lines, said plurality of lines conveying a signal associated with a state of a particular one of said plurality of power supplies (chapter 8, various cable options; chapter 11, alarms).

As per claim 4, Powerware9170 teaches one of said lines conveys identification information (chapter 11, alarms).

As per claim 5, ConnectUPS teaches said coupling cable conveys the information in parallel (Ethernet cable).

As per claim 6, Powerware9170 teaches said coupling cable conveys the information in a serial fashion (chapter 8, RS-232 cable).

As per claim 7, ConnectUPS teaches said coupling cable is an RJ-45 cable (Ethernet cable).

As per claim 8, Powerware9170 teaches said first circuits comprise lines carrying information associated with a state of said plurality of power supplies and lines carrying information on identification of said plurality of power supplies (chapter 8, various cable options; chapter 11, alarms).

As per claims 9, 11 and 12, ConnectUPS teaches initiating an electronic message to be sent to an operator (paging and monitoring).

As per claim 10, Powerware9170 teaches writing an entry into a log (chapter 7, alarm log).

As per claim 13, Powerware9170 teaches said third circuit conveys information regarding the location of a specific one of said plurality of power supplies (chapter 11, alarms).

As per claim 14, Powerware9170 teaches communicating upon an occurrence of an event associated with one of said plurality of power supplies (chapter 11, alarms).

As per claim 15, Powerware9170 teaches said event is one of the plurality of power supplies failing to meet a predetermined threshold (chapter 11, alarms).

As per claims 16-18, Powerware9170 teaches said event is a failure of one of said plurality of power supplies (chapter 11, alarms).

As per claim 23, Powerware9170 teaches a power management system for a computer system, the system comprising:

- a plurality of means for powering the computer system (figs. 4-6, UPS having plurality of power supplies);

- a means for transmitting a plurality of signals indicative of an electrical condition of each of the means for powering (chapter 8, cable from UPS to computer system);

- a means for monitoring the electrical condition of each of the plurality of means for powering, said means for monitoring coupled to the means for transmitting (chapter 8, circuit inherent in computer system, coupled to other end of cable, that runs UPS monitoring software);

However, Powerware9170 does not expressly teach a means for communicating the state of the one of the plurality of means for powering to a user, coupled to said means for monitoring.

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ConnectUPS teaches such a third circuit (display monitor coupled to server/workstation). At the time of the invention, it would have been obvious to one of ordinary skill in the art include a display monitor in Powerware9170's computer system, as using a display monitor to communicate information to a user is well known in the art.

As per claims 24-40, since Powerware9170/ConnectUPS teaches the system of claims 1-18 and 23, the combination teaches the claimed system.

As per claims 46-62, since Powerware9170/ConnectUPS teaches the system of claims 1-18 and 45, the combination teaches the claimed method.

8. Claims 19-22, 41-44 and 63-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powerware9170/ConnectUPS, as applied to claims 1, 23 and 45 above, and further in view of Powerware Corporation, *LanSafe III & FailSafe III Power Management Software Brochure*, October 1999 ("LanSafe").

As per claims 19-22, 41-44 and 63-66, Powerware9170/ConnectUPS does not expressly teach said first plurality of circuits conveys information regarding associated with a grouping of said plurality of power supplies. LanSafe teaches grouping a plurality of power supplies (load segments). At the time of the invention it would have been obvious to one of ordinary skill in the art to apply LanSafe's grouping of power supplies to the power management system and method of Powerware9170/ConnectUPS. A motivation for doing so would have been facilitate the management of a number of power supplies.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wang whose telephone number is 571-272-3669. The examiner can normally be reached on M-F (9:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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CHUN CAO
PRIMARY EXAMINER